

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

<u>LAURIE GILBERT,</u>	)	
Plaintiff,	)	
	)	
v.	)	Civil Action No. 05-10746-RWZ
	)	
JOHN HEGGARTY and TIMOTHY DUBE	)	
	)	
<u>Defendants.</u>	)	

**JOINT MOTION TO CONTINUE PRE-TRIAL CONFERENCE**

Now comes the Plaintiff, Laurie Gilbert, and the defendants, John Heggarty and Timothy B. Dube (hereinafter, "the Defendants") and move this Honorable Court to continue the pre-trial conference scheduled for Thursday, May 11, 2006. As basis for this Motion is as follows:


1. In January 2006, the Court allowed the Defendants' motion to extend the time to complete fact discovery until Friday, March 3, 2006.
2. Subsequently the Defendants sent a set of interrogatories to the Plaintiff and noticed the Plaintiff's deposition.
3. Due to issues concerning the Plaintiff's claims of episodic pain caused by fibromyalgia, the Plaintiff twice requested the postponement of the deposition.
4. As a result of the postponements, the parties only recently received the transcript from the Plaintiff's deposition.
5. Due to the Plaintiff's medical issues, the Plaintiff alleges that she has not been able to complete the interrogatories in a timely manner.
6. The Plaintiff has supplied the Defendants with documents in response to their document request, but has not yet submitted a written response to this request.

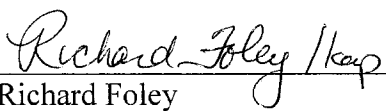
7. The Defendants have informed the Plaintiff that they will file a motion to compel the production of interrogatories and a written response to their request for the production of documents if the same is not submitted by Wednesday, May 10, 2006.
8. Upon review of the Plaintiff's discovery submissions, the parties plan to meet in order to discuss whether this case may be resolved without further litigation.
9. This motion is made in good faith and not for the purpose of obstruction or delay.

WHEREFORE, the Plaintiff, Laurie Gilbert, and the Defendants, John Heggarty and Timothy Dube, respectfully request a continuation of the pre-trial conference, and the trial, tentatively scheduled to begin on or about May 24, 2006.

Respectfully Submitted,  
For the Defendants,  
**JOHN HEGGARTY and  
TIMOTHY DUBE,**  
By their attorneys,

For the Plaintiff,  
**LAURIE GILBERT**  
By her attorney,

  
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